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REMARKS

Claim 1 has been amended for clarity. The claim now clearly sets out the steps of the method as per the present invention. The amendment is fully supported throughout the specification, for example in paragraph [020] on pages 5 and 6. Claim 21 has also been amended in accordance with the changes made to claim 1. Claims 34 to 41 have been canceled as per the restriction requirement without prejudice. Claim 42 is new and corresponds to claim 10 of the application as originally filed. No new subject matter has been added as a result of this amendment.

Claim Rejection – 35 U.S.C. §103

Claims 1-6, 9, 11, 12, 16-25, and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price R-W et al (US Patent 6,052,068), in further view of Maloney (US Patent 6,427,913). The Applicant respectfully traverses this rejection for the following reasons.

Price teaches a vehicle identification system for identifying motor vehicles in a group of vehicles at distances in excess of 200 feet. The system includes an interrogator for directionally broadcasting an interrogation signal toward a vehicle of interest and a set of vehicle identification tags attached to the vehicles for receiving interrogation signals and sending a response signal to the interrogator. The response signal consists of information from the memory in the vehicle identification tag which allows the interrogator to identify the ownership or registration of the vehicle.

Maloney teaches an object tracking and control system for implementation at an automobile dealership. The system includes a Key Track system adapted to control access to and log the check out and check in of keys to vehicles on the lot. RFID tags are provided on the vehicles and tag readers are embedded at selected locations within the dealership parking lot to detect movement of vehicles.

Claim 1 differs from both Price and Maloney in that it recites "at least one of said plurality of signal emitting devices initiating transmitting information from said vehicle to said readers". Price clearly teaches the use of an interrogator that will poll the signal emitting devices and prompt them to emit in response to a request. Maloney states that "[a]s vehicles are moved from one zone of the lot to another, they pass the

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tag readers at the transition regions, where the RF tags of the vehicles are activated to transmit their unique codes" (column 4, lines 3-6). This indicates that a signal is transmitted from the readers to the RF tags in order to activate them. The RF tags then send information back to the readers. In another embodiment, Maloney states that "the readers in each micro zone are be (sic) in continuous communications with the vehicles located in the various parking spaces..." (column 9, lines 27-29). This indicates that the readers are constantly polling the RF tags in order to receive a signal in response to their polling request. There is no description or suggestion that the devices would initiate a transmission on their own without somehow having been activated by an external source. This is a fundamental difference. Because the devices are waiting for a request in order to transmit information, if someone jams or overpowers the interrogator's/reader's request, then the devices will not transmit and the system will fail. Therefore, claim 1 is not obvious in view of these references.

Claim 21 differs from both Price and Maloney in that it recites a plurality of signal emitting devices "transmitting to a plurality of readers without being prompted to do so". For the same reasons as stated above for claim 1, Price and Maloney do not teach this feature of the claim and therefore, the claim is not obvious in view of the references.

Claims 13-15 and 26 are rejected under 35 U.S.C 103(a) as being unpatentable over Price in view of Maloney and further in view of Thomas et al. (US Patent 6,335,679).

Thomas teaches a method for modifying an existing vehicle alarm system to include an alarm condition remote notification feature. The method includes installing the alert transmitter in the vehicle, and coupling the arming unit with the alert housing. Thomas does not teach signal emitting devices initiating transmitting information from a vehicle to readers or transmitting to a plurality of readers without being prompted to do so. Therefore, the cited references do not teach the claims of the present application.

The Applicant hereby submits that a prima facie case of obviousness, in accordance with MPEP §2142, has not been made. The three elements required in establishing the prima facie case of obviousness have not been met. More particularly, the prior art references do not teach or suggest all of the claim limitations. Therefore,

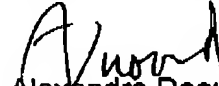
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the claims are not obvious in view of the cited references.

In view of the foregoing, the Applicant believes the present application to be patentable and early and favorable notice is earnestly solicited.

Respectfully submitted,

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